

NORTH DAKOTA RACING COMMISSION
Live and Telephone Meeting
NDRC Office, 500 N 9th Street – Lower Level, Bismarck, ND
Tuesday, June 8th, 2010 - 3:00 p.m. (central time)

Call to Order:

Chairman Jim Ozbun called the meeting to order at 3:02 p.m. Chairman Ozbun stated that this would be Commissioner Tom Secrest's final meeting as he has fulfilled his term. Chairman Ozbun extended the commission's appreciation to Commissioner Secrest for his service and dedication.

Present: Chairman Jim Ozbun and Commissioner Tom Senftner. Also present, were Legal Counsel Bill Peterson; Director of Racing, Winston E. Satran and Administrative Staff Officer, Helen Tessmann.

Present by phone: Commissioner Andy Maragos, Commissioner Tom Secrest, Commissioner Clarence Frederick and David Bernsen with WatchandWager.com LLC.

Others Present: L.J. Harsche, Mike Cichy, John Bubel, Roger V. Thompson, Leon A. Glasser, Tad Torgerson, Dave Thompson, Kara Odegaard, Rebecca Beitsch and Gail Hrdlicka.

AGENDA

1. **Approval of Minutes – April 20, 2010 meeting**
2. **WatchandWager.com LLC – Service Provider**
 - ~~Transfer of ownership to~~ Adding Europe Wagering System Services as an owner
3. **Europe Wagering System**
 - ~~Approval and licensing as a Service Provider~~
4. **Horse Race North Dakota's Report**
 - a. Report - 2009 Race Meet's Remaining Debt
 - b. Loan Proposals Considered by Horse Race ND
 - c. Promotion Fund Application - \$50,000
5. **Suggested Rules and Regulations Changes**
 - a. Draft for Commissioners' review
 - b. ~~Authorization to hire a Consultant to review changes~~
6. **Approval of Trainers' Qualifications and Testing**
7. **ND Horsemen's Advisory Council's Issues/Recommendations**
8. **Adjournment**

MINUTES

1. Approval of Minutes – April 20, 2010 meeting

Previously all commissioners had received a copy of the April 20th, 2010 commission meeting minutes.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to accept the minutes of the April 20, 2010 meeting as presented. All commissioners voted aye and hearing no negative vote the motion passed.

2. WatchandWager.com LLC – Service Provider

A request was made by WatchandWager.com LLC to establish a joint ownership with European Wagering Services located in the Isle of Man. Mr. David Bernsen of WatchandWager.com LLC provided an explanation of how EWS operates in the United States and that approximately \$30,000,000 would be generated through North Dakota. Director Satran has reviewed the operations of EWS and found that in 2006, the National Thoroughbred Protective Association did an extensive background check on EWS and approved the company to operate in the United States. Director Satran recommended that the ND Racing Commission approve the new joint ownership.

A motion was made by Commissioner Secrest and seconded by Commissioner Maragos to approve the new ownership agreement between WatchandWager.com LLC and European Wagering Services of the Isle of Man. Roll call was taken: Secrest Y, Maragos Y, Frederick Y, Senftner Y, and Ozbun Y. Motion Passed.

Mr. Bernsen left the meeting at 3:15 p.m.

3. Europe Wagering System

~~–Approval and licensing as a Service Provider~~

This item was deleted from the agenda. No action necessary.

4. Horse Race North Dakota's Report

a. Report - 2009 Race Meet's Remaining Debt

Mr. Mike Cichy, President of Horse Race ND, reported that the total debt has been reduced to \$150,000 by using monthly proceeds received from service providers.

b. Loan Proposals Considered by Horse Race ND

A loan of \$100,000 has been granted to Horse Race ND and a check is expected to be received on Friday, June 11, 2010.

c. Promotion Fund Application - \$50,000

Director Satran recommended approving a grant of \$50,000 from the Promotion Fund to Horse Race ND contingent on the North Dakota Racing Commission receiving a copy of the \$100,000 check to Horse Race ND.

A motion was made by Commissioner Secrest and seconded by Commissioner Senftner to approve the grant of \$50,000 from the Promotion Fund to Horse Race ND upon the Commission's receipt of a copy of the loan check for \$100,000. Roll call was taken: Secrest Y, Senftner Y, Frederick Y, Maragos Y and Ozbun Y. Motion Passed.

5. Suggested Rules and Regulations Changes

a. Draft for Commissioners' review

Director Satran stated that he and Counsel Peterson have worked on the rule changes for the past 2 months. Several areas have been changed to reflect changes in wagering, three bet types and changing the racing age from 6 years old to 12 years old for horses to receive Breeders Fund awards. A draft of

the rule changes have been provided to each of the Commissioners for their review. The Commission should approve the continuation of the process to make the necessary Administrative Rule changes .

A motion was made by Commissioner Secrest and seconded by Commissioner Maragos to approve the continuation of the rules process to make the necessary Administrative Rule changes. Roll call was taken: Secrest Y, Maragos Y, Frederick Y, Senftner Y and Ozburn Y. Motion Passed.

~~b. Authorization to hire a Consultant to review changes~~

This item was deleted from the agenda. No action necessary.

6. Approval of Trainers' Qualifications and Testing

Mr. Sam Lato, 2009 State Steward in Fargo, suggested to Director Satran that the North Dakota Racing Commission prepare qualification requirements for new trainers. This should include a request for their past history in horse racing; positions held in horse racing; length of time in those positions; 2 letters of recommendations by individuals who are trainers; a written exam and a practical exam administered by the State Steward and the State Veterinarian. North Dakota can then be confident that the licensing process and procedures would eliminate inexperienced individuals from seeking a trainer's license in the future.

Director Satran stated that by using the current rules, he has prepared a policy and procedures for trainer qualifications. A written and practical test has been submitted to Mr. Lato for his review and comments. This new procedure and policy will be effective June 1, 2010.

7. ND Horsemen's Advisory Council's Issues/Recommendations

No ND Horsemen's Advisory Council members were in attendance but horsemen, Lee Harsche reported that no meeting was held by the ND Horsemen's Advisory Council prior to the Commission meeting.

8. Adjournment

Meeting adjourned at 3:35 p.m.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to adjourn the meeting. All commissioners voted aye and hearing no negative vote the motion passed.